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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,068	11/21/2001	Tan Nguyen	FCI-2652/C3197	1479

7590 02/05/2003

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EXAMINER
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FIGUEROA, FELIX O

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 02/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/990,068

Applicant(s)

NGUYEN, TAN

Examiner

Felix O. Figueroa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 10-32 and 40-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 23 December 2002 is: a) ☐ approved b) ☒ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Amendment***

In the Remarks filed 12/23/02, Applicant indicated (in page 4 lines 2-3) that "Claims 9 and 33-39 have been canceled." Although no specific instructions to cancel these claims were included, applicant is informed that claims 9 and 33-39 have been canceled, as apparently intended.

### ***Drawings***

The corrected or substitute drawings were received on 12/23/02. These drawings are acceptable.

### ***Claim Objections***

Claims 1, 15, 20-22, 31, and 40 are objected to because of the following informalities:

In claim 1, it is suggested that "a flexible contact medium" be changed to "an electrical flexible contact medium", in order to clearly point out how the electrical contact is capable of conducting electricity.

In claim 1 line 4; claim 15 line 7; claim 31 line 6 and claim 40 line 5, "the center" should be --a center-- in order to provide proper antecedent basis to the claim.

In claims 20-22, "the second interface" lacks antecedent basis.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The scope of claims 1, 3, 5 and 6 is indefinite because there is an inconsistency within the claims. Claim 1, initially / from which they depend, indicates that the subcombination, a contact (with a second interface that prevents distortion of a flexible contact medium), is being claimed. However, later claims 3, 5 and 6 contain positive limitations directed toward the flexible contact medium, suggesting that applicant intends to claim the combination of the connector and the flexible contact medium. Base on applicant's arguments on the intention to positively include the flexible contact medium as part of the claimed invention, the use of alternative language is suggested. As an example, in line 3, prior to "wherein" insert --a flexible contact medium on the electrical contact--, and in line 4, change "a flexible" to "the flexible".

The scope of claim 9 is indefinite because there is an inconsistency within the claims. Claim 1, from which it depends, indicates that the subcombination, an electrical contact, is being claimed. However, later claim 9 contains positive limitations directed toward the (mating) connector, suggesting that applicant intends to claim the combination of an electrical contact and the (mating) connector. Applicant is required to clarify what subject matter the claims are intended to be drawn to and the language of the claim must be amended to be consistent with this intent.

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 10-32, and 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (US 4,593,464) in view of Hosler, Sr. (US 5,062,808).

Williams discloses an electrical contact comprising: a rear end having a first interface (right side of Fig.5); and a front end having a second interface (left side of Fig.5), wherein the second interface prevents a flexible contact medium (20) from being distorted by a connector. ]

Williams also discloses the first interface connecting to a connector medium; a front end of the flexible contact medium being isolated by a connector flange (2) on the second interface; the connector flange being part of a first insulator; the front end of the flexible contact medium being tapered toward an outer boundary of the second interface; the front end of the flexible contact medium is isolated from the connector by a curve rim (2) on the second interface; the second interface permits connection of the connector with a rear portion of the flexible contact medium; the second interface guides the connector; the electrical contact being a male triaxial pin and the connector being a

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triaxial connector; the front and rear ends being tubular; and the first interface having one or more connection pins.

Specifically in regard to claim 15, Williams discloses an electrical contact comprising: an intermediate contact (20) having a flexible connection medium; an outer contact (10) surrounding the intermediate contact; a first insulator (2) surrounding the intermediate contact and the flexible connection medium, wherein the first insulator provides electrical isolation of the intermediate contact from the outer contact, and wherein the first insulator has a front face that protects the flexible connection medium from being distorted by an electrical connector, and wherein the outer contact surrounds the first insulator; and a center contact (30) surrounded by the intermediate contact. Williams also discloses a second insulator (3) located between the intermediate contact and the center contact; a flange (front of 2) on the front face, wherein the flange isolates a front portion of the flexible connection medium from the mating connector; a ledge (front of 2) on the front face, wherein a front portion of the flexible connection medium is located below the ledge; the front portion of the flexible connection medium having a taper that guides the mating connector; the front portion of the flexible connection medium tapered toward the outer boundary; a third insulator (back end of 3) surrounding the center contact; the center contact connected to a center pin that extends from the rear side of the outer contact; the outer contact connected to an outer pin that extends from a rear side and is within a boundary of the outer contact.

Specifically, concerning claim 31, Williams teaches an electrical connector comprising: a shell (1); an electrical contact (10,20,30) located within the housing,

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comprising: a rear end having a first interface, and a front end having a second interface to a connector, wherein the second interface prevents the electrical contact from being distorted by the connector; and at least one other electrical contact located within the shell; the shell is substantially circular and surrounds the electrical contacts.

Regarding claims 25, 27, 28 and 30 please note that a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, as in the present situation, then it meets the claim. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

Williams discloses substantially the claimed invention except for prevention of the flexible contact medium from being bent toward the center. Hosler teaches a triaxial contact (Fig.3) with a second interface (right side/138) with a flange/curved rim that prevents the flexible medium (112/124) from being bent toward the center of the electrical contact to protect the flexible medium. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the electrical contact of Williams with a second interface that prevents the flexible medium from being bent toward the center of the electrical contact, as taught by Hosler, to protect the flexible medium.

### ***Response to Arguments***

Applicant's arguments with respect to the claims have been considered but are moot in view of the new grounds of rejection.

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***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (703) 308-0097. The examiner can normally be reached on Mon.-Fri., 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.




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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

ffr

February 1, 2003



RENEE LUEBKE  
PRIMARY EXAMINER